

QUAYLE ACTION

1. The Pre-appeal Brief Request filed on October 1, 2009 has been received. A pre-appeal conference was held (see paper no. 06) and it has been determined that the outstanding rejection under 35 USC 112, 1st paragraph should be withdrawn.

Specification

2. The disclosure is objected to because of the following informalities:

On page 1, line 29, the recitation "lateral oriented" is awkward and should read --laterally oriented--; in line 30, the recitation "not necessarily falls" is awkward and should read --does not necessarily fall--.

On page 2, line 2, --to be-- should be inserted after "shown"; in lines 6 and 21, "cut off" should read -- cut-off -- for clarity.

On page 3, line 1, "knifes" should read --knives--; in line 6, "knifes" should read --knives--, and "securing that" is not sufficiently clear as to what is being described; in line 7, "simultaneously" should read --simultaneous--; in line 12, --will-- should be inserted before "be essentially"; in lines 17 and 18, "knifes" should read --knives--; in line 28, a comma --,-- should be inserted after "invention"; in line 29, "eccentric" should read --eccentrically--.

On page 4, lines 1, 7 and 8, "knifes" should read --knives--; in line 9, "pneumatic, electric or electromagnetic" should read -- pneumatically, electrically or electromagnetically-- or the like; in line 12, a comma --,-- should be inserted after

"following"; in lines 15, 17 and 18, "knives" should read --knives--; in line 22, "which" should be deleted for clarity; in line 31, "knives" should read --knives--, and "and" should be deleted.

On page 5, lines 2 and 3, "knives" should read --knives--; in line 3, a comma --,-- should be inserted after "figure"; in line 5, a comma --,-- should be inserted after "figures"; in line 11, "simultaneously" should read --simultaneous--; in line 13, "knives" should read --knives--; in line 16, "cut off" should read -- cut-off -- for clarity; in lines 23-24, the recitation "edges of the knives 4', 5' " is inaccurate and should be changed to read --edges 4', 5' of the knives 4, 5--; in lines 24 and 26, each occurrence of "knives" should read --knives--.

On page 6, line 5, a comma --,-- should be inserted after "3", and "eccentric" should read --eccentrically--; in line 9, "knives" should read --knives--; in line 15, a comma --,-- should be inserted after "4"; in line 17, "second" should read --lower-- for consistency and clarity, and "arranged in" is inaccurate and should read --slidably arranged on--; in line 18, a comma --,-- should be inserted after "Below" for clarity; in line 19, a comma --,-- should be inserted after "seen" for clarity; in line 24, "cut off" should read -- cut-off -- for clarity.

On page 7, lines 1, 2, 12 and 18, "knives" should read --knives--; in line 2, "then" should read --the--; in line 7, --a-- should be inserted before "start"; in line 9, a comma --,-- should be inserted after "5"; in line 15, a comma --,-- should be inserted after "Above" for clarity, and --an-- should be inserted before "embodiment".

Appropriate correction is required.

Allowable Subject Matter

3. Claims 1-14 are allowable over the prior art of record.

Conclusion

4. This application is in condition for allowance except for the formal matters described above. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (571)272-4505. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571)272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Clark F. Dexter/
Primary Examiner, Art Unit 3724**

cfd
April 12, 2010